

**COMMITTEE MINUTES for
JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE**

Date: March 18, 2004

Place: Room 24

Convened: 3/18/2004
10:00 AM

Recessed:

Reconvened:

Adjourned: 3/18/2004
11:40 AM

Present: Senators Miller-CH, Angelo-VC, Fraise-RM, Hosch, Kreiman
Representatives Horbach-CH, Hanson, D.-VC, Lukan, Maddox, Miller, H., Shomshor,
Swaim, Van Fossen, J.R.

Absent: None

Excused: Representative Foege-RM

Representative Horbach called the meeting to order at 10am. Roll was taken and a quorum established.

Senator Kreiman requested a brief Democrat caucus. The meeting stood at ease for the caucus.

Representative Horbach called the meeting back to order at 10:05am. Rep. Horbach turned the over to Senator Miller.

Senator Miller recognized Rep. Horbach for opening comments on LSB 5006JA.

Senator Miller then turned the chair over to Rep. Horbach.

Rep. Horbach recognized Senator Miller for amendment 201. Senator Miller asked and received unanimous consent to withdraw amendment 201.

Rep. Horbach recognized Senator Miller for amendment 202. Senator Miller asked and received unanimous consent to withdraw amendment 202.

Rep. Horbach recognized Rep. Swaim for opening comments on amendment 301. Following discussion and closing comments, Rep. Horbach requested a roll call vote on amendment 301. The Senate vote was 2 ayes (Fraise, Kreiman) and 3 nays (Miller, Angelo, Hosch). The House vote was 6 ayes (Horbach, Lukan, Maddox, Miller, Shomshor, Swaim) and 2 nays (Hanson, Van Fossen). The amendment, having failed to receive a constiutional majority of the Senate committee members, failed.

Rep. Horbach recognized Rep. Swaim for opening comments on amendment 203. Following discussion and closing comments, Rep. Swaim requsted a roll call vote on amendment 203. The Senate vote was 2 ayes (Fraise, Kreiman) and 3 nays (Miller, Angelo, Hosch). The House vote was 3 ayes (Miller, Shomshor, Swaim) and 5 nays (Horbach, Hanson, Lukan, Maddox, Van Fossen). The amendment was defeated.

Rep. Horbach recognized Senator Miller for opening commments on amendmnet 501. Following discussion, Senator Miller moved approval of amendment 501 and asked for short form. The amendment was approved by a unanimous voice vote.

Following discussion of the bill as amended, Senator Miller moved approval of LSB 5006JA as amended and requested a roll call. The Senate vote was 4 ayes (Miller, Angelo, Fraise, Hosch) and 1 nay (Kreiman). The House vote was 8 ayes (Horbach, Hanson, Lukan, Maddox, Miller, Shomshor, Swaim, Van Fossen). The bill was passed to the full Appropriations Committee.

Rep. Horbach turned the chair over to Senator Miller. Senator Miller recognized Rep. Horbach for opening comments on LSB 5005JA.

Following opening comments on the bill, Senator Miller recognized Rep. Horbach for opening comments on amendment 705. Following opening comments, Rep. Horbach moved approval of amendment 705 and asked for short form. The amendment was approved by a unanimous voice vote.

Senator Miller recognized Rep. Horbach for opening comments on amendment 703. Following opening comments and discussion, Rep. Horbach moved approval of amendment 703 and asked for short form. The amendment was approved by a unanimous voice vote.

Senator Miller turned the chair over to Rep. Horbach.

Rep. Horbach recognized Senator Miller for opening comments on amendment 202. Senator Miller asked and received unanimous consent to divide amendment 202. Page 1, line 28 and Page 2, lines 1-13 constitute section B of the amendment. The remainder of the amendment constitutes section A. Senator Miller asked and received unanimous consent to withdraw section B. Discussion followed. Rep. Horbach recognized Senator Miller for a sense amendment to Page 1, line 6 to change the word "shall" to "may".

Senator Kreiman raised a point of order identifying that Page 1, line 9 should also be amended to change the word "shall" to "may". The point was well taken.

Senator Miller moved approval of the sense amendments. The sense amendments were approved by a unanimous voice vote. Discussion on the amendment as amended followed. Following closing comments, Senator Miller moved approval of amendment 202 as amended and requested short form. The amendment was approved by a unanimous voice vote.

Rep. Horbach turned the chair over to Senator Miller.

Senator Miller recognized Senator Kreiman for opening comments on amendment 204. Senator Kreiman asked and received unanimous consent to withdraw amendment 204.

Senator Miller recognized Senator Kreiman for opening comments on amendment 706. Following discussion, Senator Kreiman moved approval of amendment 706 and asked for short form. The amended was approved by a unanimous voice vote.

Senator Miller recognized Senator Kreiman for opening comments on amendment 704. Following discussion, Senator Kreiman moved approval of amendment 704 and asked for short form. The amended was defeated by a voice vote.

Senator Miller recognized Senator Kreiman for opening comments on amendment 707. Following discussion, Senator Kreiman moved approval of amendment 707 and asked for short form. The amended was defeated by a voice vote.

Senator Miller recognized Senator Kreiman for opening comments on amendment 701. Following discussion and closing comments, Senator Kreiman moved approval of amendment 701 and asked for a roll call. The Senate vote was 2 ayes (Fraise, Kreiman) and 3 nays (Miller, Angelo, Hosch). The House vote was 3 ayes (Miller, Shomshor, Swaim) and 5 nays (Horbach, Hanson, Lukan, Maddox, Van Fossen). The amendment was defeated.

Senator Miller recognized Rep. Lukan for opening comments on amendment 302. Following opening comments, Senator Kreiman asked and received unanimous consent to divide the amendment. Lines 2-4 constitute section A and the remainder of the amendment constitutes section B. Following discussion and closing comments, Rep. Lukan moved approval of section A and Senator Kreiman asked for a roll call. The Senate vote was 3 ayes (Miller, Angelo, Hosch) and 2 nays (Fraise, Kreiman). The House vote was 5 ayes (Horbach, Hanson, Lukan, Maddox, Van Fossen) and 3 nays (Miller, Shomshor, Swaim). Amendment 302, division A was approved. Rep. Lukan then moved approval of amendment 302, division B and asked for short form. Amendment 302, division B was approved by a unanimous voice vote.

Rep. Horbach thanked students at the meeting for their attendance and interest.

Rep. Lukan then moved approval of amendment 302. The amendment was approved by a unanimous voice vote.

Senator Miller recognized Rep. Horbach for opening comments on amendment 503. As there was no discussion, Rep. Horbach moved approval of amendment 503 and asked for short form. The amendment was approved by a unanimous voice vote.

Senator Miller recognized Rep. Horbach for opening comments on amendment 301. As there was no discussion, Rep. Horbach moved approval of amendment 301 and asked for short form. The amendment was approved by a unanimous voice vote.

Senator Miller turned the chair over to Rep. Horbach.

Rep. Horbach recognized Senator Miller for opening remarks on amendment 504. Following discussion, Senator Miller moved approval of amendment 504 and asked for short form. The amendment was approved by a unanimous voice vote.

Rep. Horbach turned the chair over to Senator Miller.

Senator Miller recognized Senator Kreiman for opening comments on amendment 303. Following discussion and closing comments, Senator Kreiman moved approval of amendment 303 and asked for a roll call. The Senate vote was 2 ayes (Fraise, Kreiman) and 3 nays (Miller, Angelo, Hosch). The House vote was 4 ayes (Maddox, Miller, Shomshor, Swaim) and 4 nays (Horbach, Hanson, Lukan, Van Fossen). The amendment was defeated.

Following discussion on the bill, Senator Miller recognized Rep. Horbach for closing comments on LSB 5005JA. Following closing comments, Rep. Horbach moved approval of the bill requested a roll call. The Senate vote was 3 ayes (Miller, Angelo, Hosch) and 2 nays (Fraise, Kreiman). The House vote was 7 ayes (Horbach, Hanson, Lukan, Maddox, Shomshor, Swaim, Van Fossen) and 1 nay (Miller). The bill was passed to the full Appropriations Committee.

Senator Miller turned the chair over to Rep. Horbach. Rep. Horbach thanked the committee for their hard work throughout the session. At 11:40am, Rep. Lukan moved to arise.

Representative Lance Horbach

Joel Oswald, Committee Secretary